

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CRIMINAL NO. 1:02CR105-8

UNITED STATES OF AMERICA)

)

)

vs.)

)

BRIAN LENARD RANDOLPH)

_____)

ORDER

THIS MATTER is before the Court *sua sponte* to continue the resentencing hearing scheduled for Wednesday, March 1, 2006, at 9:00 AM.

The Court has been advised that the United States Marshal's Office did not receive either a hard copy or electronic notification of the Court's December 21, 2005, Order setting this case for hearing. As a result, the United States Marshal has not arranged for the Defendant's transportation from his place of incarceration in Ashland, Kentucky, to this District and the hearing will of necessity have to be rescheduled.

IT IS, THEREFORE, ORDERED that this matter is continued from the March 1, 2006, sentencing calendar and is hereby scheduled for

resentencing on **THURSDAY, MARCH 30, 2006, AT 10:30 AM**, at the U.S. Courthouse in Asheville, North Carolina.

IT IS FURTHER ORDERED that the United States Marshal make arrangements to have the Defendant transported from his place of incarceration to the hearing and return him thereto after resentencing. The United States Marshal shall ensure that the Defendant arrives in this District prior to the hearing date in order that he may be afforded adequate opportunity to confer with counsel in preparation for the resentencing hearing. The Clerk of Court is directed to send copies of this Order to the Defendant, his counsel, the United States Attorney, the United States Marshal, and the United States Probation Office.

IT IS FURTHER ORDERED that the United States Marshal contact the Clerk's Office and acknowledge receipt of this Order.

Signed: February 24, 2006



Lacy H. Thornburg
United States District Judge

